

**EXHIBIT “A”****RICO STATEMENT****QUESTION #2**

<b>DEFENDANT</b>	<b>MISCONDUCT</b>	<b>BASIS OF LIABILITY</b>
<b>Abdulrahman Bin Khalid Bin Mahfouz</b>	<p>Abdulrahman Bin Khalid Bin Mahfouz has long provided financial support and other forms of material support to terrorist organizations including but not limited to Radical Muslim Terrorism, or al Qaeda, and/or the International Islamic Front for the Jihad Against Jews and Crusaders. Abdulrahman Bin Mahfouz conducted or participated directly and/or indirectly in the conduct of the Enterprise’s affairs and participated in the operation or management of the operation of the Enterprise itself. Abdulrahman Bin Mahfouz conspired to conduct and/or participate in the operation or management of the enterprise itself.</p> <p>Before September 2001, Abdulrahman Bin Mahfouz had significant contacts with and presence in the United States. His father, Defendant Khalid Bin Salim Bin Mahfouz, had purchased a house located at 3800 Willowick Road, Houston, Texas 77019-1118, in 1979 and was listed as the owner of this property until it was sold on November 17, 1999. During that time, this address was listed as the registered address for several Bin Mahfouz family members and associates, including Abdulrahman Bin Khalid Bin Mahfouz.</p> <p>WorldSpace, Inc. is a Delaware Corporation doing business at 2400 N Street, N.W., Washington, D.C. 20037. During the mid-1990s, Defendant Mohammed Hussein Al Amoudi and Defendant Khalid Bin Mahfouz (through companies controlled by them and through Credit Suisse as a fiduciary) provided a majority of the capital, approximately \$1.1 billion, necessary to develop the technology used by WorldSpace, Inc. and the WorldSpace group of companies. The WorldSpace group of companies consists of WorldSpace Satellite Company, Ltd. And WorldSpace International Network Inc., both British Virgin Islands companies, which were merged in December of 2004 into the WorldSpace group’s former holding company, WorldSpace, Inc. incorporated in Maryland. Immediately thereafter, WorldSpace, Inc. of Maryland merged with WorldSpace, Inc. of Delaware; however the business address in the District of Columbia remained the same.</p>	<b>1962(a)</b> <b>1962(c)</b> <b>1962(d)</b>

<sup>1</sup> Al-Gama’at Al-Islamiya has been designated a “Foreign Terrorist Organization” pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 and is associated with Osama Bin Laden’s al Qaeda organization.

<sup>2</sup> Makhtab Al-Khidamat was listed as a Specially Designated Global Terrorist pursuant to Executive Order 13224 on September 23, 2001, and is associated with Osama Bin Laden’s al Qaeda organization.

In 1999, Defendant Mohammed Hussein Al Amoudi transferred all of his interests in any of the WorldSpace companies to the Bin Mahfouz family. Pursuant to rescission transaction agreements dated as of April 21, 2000, all of the direct and indirect debt owed to the Bin Mahfouz family and their equity interests in the companies were consolidated into a single debt obligation owed by the WorldSpace group of companies to Stonehouse Capital Limited, a Cayman Islands company wholly owned and controlled by Abdulrahman Bin Khalid Bin Mahfouz and Sultan Bin Khalid Bin Mahfouz. A UCC Financing Statement filed by WorldSpace, Inc. (Doc# 2000077313) lists the "Secured Party" as follows:

Stonehouse Capital Limited  
The Private Office of Abdulrahman and Sultan  
Khalid Bin Mahfouz  
PO Box 52558  
Jeddah 21573 Saudi Arabia

"Abdulrahman Khalid Bin Mahfouz" signed the UCC statement on behalf of himself and his brother, Sultan.

Hybridon, Inc., is a biomedical research firm incorporated in the state of Delaware and currently located at 345 Vassar Street, Cambridge, Massachusetts 02139. Abdulrahman Bin Khalid Bin Mahfouz purchased 26,300 shares of stock in this company on June 28, 1996. In addition, a Schedule 13G filing with the Securities and Exchange Commission on February 20, 1997, states:

**Name of Reporting Persons** – Abdulrahman K. Bin Mahfouz

**Sole Voting Power** – 41,300 Shares

**Shared Voting Power** – 1,708,333 Shares

**Sole Dispositive Power** – 41,300 Shares

**Shared Dispositive Power** – 1,708,333 Shares

**Aggregate Amount Beneficially Owned By Each Reporting Person:**

1,749,633 Shares (consists of 1,708,333 Shares held by HTI Investments Ltd., N.V. and 41,300 Shares held by Abdulrahman K. Bin Mahfouz). Mr. Bin Mahfouz holds a pecuniary interest in HTI Investments Ltd., N.V. and may be considered the beneficial owner of Shares held by HTI Investments Ltd., N.V.

This represents a 7% ownership of the company. Abdulrahman Bin Khalid Bin Mahfouz also sat on the Board of Directors of Hybridon for

the years 1997 and 1998, as listed on the company website <http://web.archive.org/web/19970414043431/http://www.hybridon.com/> and <http://web.archive.org/web/19980210110412/http://www.hybridon.com/>. Other shareholders in Hybridon include the Bin Laden family; Yahia M. A. Bin Laden, one of three Bin Laden brothers who exert the most control over Defendant Saudi Binladen Group, owned a 16% share of the company in the late 1990s.

Until recently, Abdulrahman Bin Khalid Bin Mahfouz was a member of the Board of Directors and Vice Chairman of the Executive Management Committee of Defendant National Commercial Bank (“NCB”). As a result, he had contacts with SNCB Securities, Inc., a wholly owned subsidiary of NCB located at 33 East, 67<sup>th</sup> Street, New York City, NY 10021. According to a November 22, 1999 British intelligence report, the Saudi Arabian Royal family used NCB to channel funds to Osama Bin Laden as insurance against attacks on their assets. Similar reports surfaced in the fall of 1999 in Reuters and USA Today, quoting US intelligence sources stating an NCB audit conducted by Saudi government officials uncovered that \$3 million of protection money from five of Saudi Arabia’s prominent business leaders’ accounts was transferred to Blessed Relief (a/k/a Muwafaq Foundation), an al Qaeda charity front. According to the British intelligence report, Nimir Petroleum Limited was one of the assets for which the Royal family sought protection. Abdulrahman Bin Khalid Bin Mahfouz is currently Nimir’s Chairman, according to Dun & Bradstreet’s International Corporate Family database.

The National Commercial Bank was used by Osama Bin Laden and Al-Qaeda as a financial arm. According to several testimonies, NCB was operated as a “financial conduit” for Osama Bin Laden operations as recalled by former CIA Chief of Counter-terrorism Vincent Cannistraro during a Congressional Hearing in October 2001:

*“How does the al-Qaeda organization fund its worldwide network of cells and affiliated groups? Several businessmen in Saudi Arabia and in the Gulf contribute monies. Many of these contributions are given out of a sense of Islamic solidarity. But much of the money is paid as “protection” to avoid having the enterprises run by these men attacked. There is little doubt that a financial conduit to Bin Laden was handled through the National Commercial Bank, until the Saudi government finally arrested a number of persons and closed down the channel. It was evident that several wealthy Saudis were funneling*

*contributions to Bin Laden through this mechanism.”*

An NCB audit, conducted in 1998, revealed that over a 10 year period \$74 million was funneled by NCB’s Zakat Committee to the International Islamic Relief Organization (IIRO), headed by Osama Bin Laden’s brother-in-law, Defendant Mohammed Jamal Khalifa. The charity happened to be a major contributor to Osama Bin Laden’s operations:

*“Bin Laden used his personal fortune and continuing contributions from wealthy Islamic businessmen in Saudi and the Gulf to organize training camps in the Sudan for Islamic activists from every major Islamic country. These contributions, plus revenues from Islamic Charity fronts, such as the International Islamic Relief Organization, headed by Bin Laden’s brother-in-law, as well as numerous other charitable fronts, continue to fuel his group today.”*

Direct donations were “received through those facilities to the Red Crescent Saudi Committee, International Islamic Relief Organization and Muwaffaq Foundation”. NCB Directors, including Abdulrahman Bin Khalid Bin Mahfouz in his capacity as a trustee of Muwaffaq Foundation and a Board member of NCB, participated in this nexus as they were recipients of the money.

NCB also provided facilities for a fundraiser to finance the families of the “heroes of the Palestinian uprising” sponsored by IIRO in 2000.

In or about 1998, the NCB opened two “shared accounts” with Al-Rajhi Banking & Investment Corp (Special Joint account #22 and #33) for IIRO as a member of the Saudi Joint Relief Committee for Kosovo and Chechnya (SJRC), which was founded in 1998 by the Kingdom of Saudi Arabia to funnel donations to Islamic fighters in Kosovo and Chechnya.

The bank’s audit report shows that :

*NCB established special relations with the SJRC and maintained two shared accounts with Al-Rajhi Banking & Investment Corp for IIRO and SJRC donations in Kosovo and Chechnya. These special accounts were not reviewed by the Audit Division nor by the Zakat Committee in 1998.*

According to bankersalmanac.com and online correspondent bank searches, the National Commercial Bank in Saudi Arabia maintains correspondent banking relationships with U.S. banks JP Morgan Chase,

	<p>Bank of America, Citibank, Wachovia, Bank of New York, and American Express Bank.</p> <p>In June 1991 the Bin Mahfouz family founded Muwaffaq Limited, established on the Isle of Man. Listed as a primary shareholder in its "Memorandum and Articles of Association" is:</p> <p style="padding-left: 40px;">Yassin Quadi P.O. Box 3555 Jeddah, Saudi Arabia</p> <p>This Post Office Box is the main mailing address for National Commercial Bank. Yassin al Qadi, appointed director of Muwaffaq in 1992, was placed on the United States' Specially Designated Global Terrorist List on October 12, 2001 and is under investigation in Switzerland for terrorist financing and money laundering.</p> <p>In 1991, Muwaffaq Foundation (Blessed Relief) was established in Sudan with U.S. Specially Designated Global Terrorist Yasin Al-Qadi acting as chairperson. In January 1992, Yassin A Kadi filed a certificate of incorporation in the state of Delaware for Muwaffaq Foundation in order to open a financial conduit for terrorist funding in the United States. This corporation became "inoperative and void" in March 1994 for failure to pay taxes.</p> <p>According to the official registry of Muwaffaq Foundation, the members of its foundation council are: "..., Abdur Rahman Bin Mahfouz, PO Box 40030, Jeddah 21499, Rayeis Bin Mahfouz, PO Box 40030, Jeddah 21499." Both addresses correspond to the Slamah Hospital in Jeddah, owned by Abdulrahman Bin Khalid Bin Mahfouz.</p> <p>Abdulrahman Bin Khalid Bin Mahfouz acknowledged in a recent interview with Forbes Magazine that Muwafaq Foundation was the "brainchild" of his father, "who funded it with as much as \$30 million".</p> <p>The assets of Muwaffaq Foundation and those of its Chairman, Yasin Al-Qadi, were frozen on October 12, 2001 by the US Treasury Department pursuant to Executive Order 13224 blocking property and prohibiting transactions with persons who commit, threaten to commit or support terrorism. The governments of the United Kingdom, Turkey, Kazakhstan, Albania, Slovenia and Switzerland have also followed suit.</p> <p>The US authorities described Yasin Al-Qadi as a "terrorist" and Muwaffaq Foundation as an organization that "financially supports terrorism" and "funnels money to the al Qaeda terrorist network". A Treasury Department statement added that :</p>	
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*Muwafaq is an Al-Qaida front that receives funding from wealthy Saudi businessmen" (...) "Saudi businessmen have been transferring millions of dollars to bin Laden through Blessed Relief.*

Yasin Al-Qadi has already been cited in a case for providing financial support to terrorist activities. As detailed in a 1998 FBI affidavit and re-stated in a letter from David D. Aufhauser, General Counsel to the United States Department of the Treasury, to M. Claude Nicati, General Prosecutor in Switzerland, in support of an action to block the assets of Yassin A. Qadi:

*"Based upon information available to the United States Government, we have reasonable basis to believe that Mr. Kadi has a long history of financing and facilitating the activities of terrorists and terrorist-related organizations, often acting through seemingly legitimate charitable enterprises and businesses*

*In 1991, Me. Kadi wired \$820,000 to a business in the United States. This money was laundered through a complex land transaction in Illinois, apparently to hide any connection to Mr. Kadi and the eventual transfer of the funds to the Quranic Literacy Institute (QLI). Some of the proceeds of this transaction were used by QLI to finance the activities of Mohammed Salah (alias Abu Ahmed), an admitted head of the military wing of the terrorist organization HAMAS. Subsequently, Mr. Kadi wired \$27,000 directly to Mr. Salah's account in March 1992. This wire, from Faisal Finance account number IFA 10004, came directly from an account that is the subject of the Swiss sequestration order covering Mr. Kadi's accounts.*

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*Mr. Kadi has acknowledged in a number of press accounts that he is the founder of the Muwafaq, or "Blessed Relief," Foundation. He is identified in legal records as "Chairman" of the foundation. The leader of the terrorist organization Al-Gama'at Al-Islamiya,<sup>1</sup> Talad Faud Kassem, has said that the Muwafaq Foundation provided logistical and financial support for a mujahadin battalion in Bosnia.*

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*The Muwafaq Foundation also employed or served as cover for Islamic extremists connected with the military activities of Makhtab Al-Khidamat (MK)<sup>2</sup>, which has been partially financed by the Muwafaq Foundation. The Muwafaq Foundation supplied identity cards and employment as cover for some Arabs to allow them to obtain visas to remain in Pakistan. The founder of MK was Abdallah Azzam, who was Usama Bin Laden's mentor. Following the dissolution of MK in early June 2001 and its absorption into Al-Qa'ida, a number of [non-governmental organizations] formerly associated with MK, including Muwafaq, also merged with Al-Qa'ida."*

In an interview with the magazine *al-Watan al-Arabi* in 1996, Osama bin Laden stated that Muwaffaq in Zagreb is one of the humanitarian organizations that he is actively supporting.

An American intelligence report says that Muwaffaq "has extremist connections with al Gama'at Al Islamiyya" and that "this organization helps fund the Egyptian Mujahedin battalion in Bosnia, according to a foreign intelligence service and it also funds at least one training camp in Afghanistan". This study is also confirmed by an internal and confidential document, dated December 27, 1996 of the French UCLAT (French Counter-Terrorism Unit), an inter-ministerial unit in charge of counter-terrorism. Naming various NGOs related to terrorism, French authorities declare:

*"The Muwafaq organization originates from the NGO Human Concern International, and employed Abderrazak Arroum, member of the Tunisian Islamic Front, arrested in 1995 in Germany".*

In an internal memorandum dedicated to the "Arab-Afghans" and filed by the Spanish External Intelligence, (UCIE, ministry of Interior) in the Spanish case of al-Qaida, Spanish police explains that:

*"The Muwafaq foundation has been in contact through its offices in the countries cited with members of the argelian GIA".*

The Spanish police continue by stating:

*"Also the Islamic Relief or Muslim Aid maintained*



*contacts with the Egyptian Gamaa Islamiya, so as did the Muwafaq foundation. Waheed Gomri, Tunisian and employee of the Muwafaq maintained close relationship with the Gamaa through Abu Musab”.*

And a classified Russian document states:

*“the Muwaffaq Foundation was set up to give assistance to the families of Islami terrorists (...). The headquarters are located in Jeddah, KSA. Head – Kadi, Yasin.”*

A precise overview of the radicalism related to Muwaffaq Foundation is given by the Defense and Foreign Affairs’ Strategy policy in April/May 1998:

*“...the key Sunni Islamist associations, such as Al-Haramain and Al Muwafaq, which concentrate on proselytising for Islam...Relying on donations from the Persian Gulf States and the possibility of high-paying jobs in these oil states, these institutions represent an attraction for a wide segment of the young population. In reality, these associations are mainly used to recruit and to train Albanian Mujahedin. Their recruitment methods are those perfected in Afghanistan and Bosnia.”*

According to a European intelligence service, Khamir Amer Ballayth, an associate of Osama Bin Laden, transferred between \$200,000 to \$250,000 to Muwafaq Foundation through a bank account at the Bin’Jaad establishment of Faysal Bank in Peshawar.

Also, Mahmud Mehdi, an al-Qaeda member and associate of Ramzi Youssef (convicted of the 1993 WTC bombings) was member of Muwaffaq as well as Husam Tayeh, an Afghan fighter and suspected member of Hamas.

Moreover, according to a foreign intelligence document, Muwaffaq Foundation in Sudan provided capital to Animal Resources Bank (Sudan), a bank owned by Osama Bin Laden and financially supported Makhtab Al Khidmat, a radical Islamic group founded by Osama Bin Laden.

As the foregoing demonstrates, Abdulrahman Bin Khalid Bin Mahfouz has thereby knowingly, for a period of many years, provided critical financial and logistical support to al Qaeda, and/or Radical Muslim



	<p>Terrorism, and/or the International Islamic Front for the Jihad Against Jews and Crusaders, to support the terrorist organization's global jihad. The September 11<sup>th</sup> Attack was a direct, intended and foreseeable product of the aforementioned Bin Mahfouz's participation in the jihad campaign for al Qaeda, and/or Radical Muslim Terrorism, and/or the International Front for the Jihad Against Jews and Crusaders.</p>	
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